

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

DEANDRE PETERSON, and
DAMION ANDERSON,

Defendants

Case No. 5:18-MJ-677 (TWD)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of November 8, 2018, in the county of Onondaga, in the Northern District of New York the defendants violated:

Code Section

Title 21, United States Code, Sections
841(a)(1), (b)(1)(C) and 846

Offense Description

Conspiracy to possess with the intent to distribute and to distribute
a controlled substance, to wit: cocaine base, a Schedule II
controlled substance.

This criminal complaint is based on these facts:
See attached affidavit in support of criminal complaint

☒ Continued on the attached sheet.

Michael A. Carwell

Complainant's signature

Michael A. Carwell Special Agent BATF

Printed name and title

Sworn to before me and signed in my presence.

Date: November 8, 2018

Thérèse Wiley Dancks

Judge's signature

City and State: Syracuse, New York

Hon. Thérèse Wiley Dancks, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

Michael Carwell, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), being duly sworn, deposes and says:

1. I am the applicant herein and I am currently assigned to the ATF Syracuse Field Office. I have been a Special Agent since September 2005. I have submitted affidavits in the past in support of criminal complaints. I have also participated in the execution of hundreds of search warrants for weapons, as well as controlled substances in which controlled substances, narcotics proceeds and drug paraphernalia have been seized.

2. I make this affidavit in support of a criminal complaint charging Deandre Peterson and Damion Anderson with a violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and 846 for conspiracy to possess with intent to distribute and to distribute cocaine base (crack cocaine), a Schedule II controlled substance.

3. I base this affidavit on information supplied by the Syracuse Police Department (SPD), and other local and state law enforcement agencies. Since this affidavit is being submitted for the limited purpose of establishing probable cause to support a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts, which I believe, are necessary to establish probable cause for the complaint.

4. On November 8, 2018, law enforcement met with an undercover officer (hereinafter, "UC") for the purpose of conducting a controlled purchase of drugs in the neighborhood of South/Southwest side of the City of Syracuse. The UC was given a sum of U.S.

currency with pre-recorded serial numbers and a recording device to put on her/his person. The UC then drove to a location previously identified and agreed upon by law enforcement. The UC was followed under surveillance by law enforcement agents.

5. Shortly thereafter, officers observed the UC approach an individual subsequently identified as Damion Anderson. The UC asked Anderson about buying drugs, and Anderson told the UC to come back in approximately ten (10) minutes. During the interim, Anderson was observed by other law enforcement officers meeting with an individual subsequently identified as Deandre Peterson. During that meeting, law enforcement observed Peterson hand something to Anderson. A few minutes after meeting with Peterson, Anderson met again with the UC and sold the UC two (2) small baggies containing off-white chunk-like substances visually consistent with crack cocaine in exchange for \$70.00 of pre-recorded "buy money."

6. Following the transaction, the UC turned over the two (2) baggies to other officers. Sergeant David Metz of the Syracuse Police Department field tested the off-white chunk like substances contained in those two (2) baggies utilizing a Narco Pouch 904b Reagent Kit and received a positive reaction for the presence of cocaine.

7. Following the UC's controlled purchase of narcotics from Anderson, law enforcement arrested both Anderson and Peterson. During a search incident to arrest of Peterson, officers recovered nine (9) additional baggies of an off-white chunk-like substance visually consistent with, and believed by law enforcement to be, cocaine base (crack cocaine).

8. Incident to the arrest of Anderson, he was searched and officers recovered the \$70.00 of pre-recorded buy money on Anderson's person.

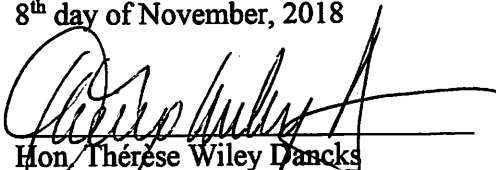
CONCLUSION

9. Based upon the above, I believe that probable cause exists that Deandre Peterson and Damion Anderson violated Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and 846 by conspiring to possess with intent to distribute and to distribute a substance containing cocaine base, a Schedule II controlled substance.

Michael Carwell

Michael Carwell
Special Agent
Bureau of Alcohol, Tobacco, and Firearms

Sworn to before me this
8th day of November, 2018


Hon. Therese Wiley Dancks
United States Magistrate Judge